Case 1:09-bk-11235 Doc 1104 Filed 09/02/11 Entered 09/06/11 16:26:40 Desc Main Document Page 1 of 3

This document has been electronically entered in the records of the United States Bankruptcy Court for the Southern District of Ohio.

IT IS SO ORDERED.

Dated: September 02, 2011

S DISTRICT OF ONE

Jeffēry ❷. Hopkins United States Bankruptcy Judge

## UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF OHIO WESTERN DIVISION

In Re :

:

MI 2009 INC., ET AL. : Case No. 09-11235

Chapter 11
Judge Hopkins

Debtors<sup>1</sup>

ORDER DENYING MOTION REQUESTING FURTHER RELIEF FROM AUTOMATIC STAY OF CREDITOR GOSLING CZUBAK ENGINEERING SCIENCES, INC. AND CONTINUING THE STAY UNTIL FURTHER ORDER BY THIS COURT

This matter came on for hearing before this Court on the Motion (the "Motion") of creditor Gosling Czubak Engineering Sciences, Inc. ("Gosling") renewing its request for further relief from stay [Doc. No. 976]. Counsel for Gosling did not present any

<sup>&</sup>lt;sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each debtor's federal tax identification number, are: MI 2009 Inc. (f/k/a Milacron Inc.) (2125); CIP 2009 Inc. (f/k/a Cimcool Industrial Products, Inc.) (1002); MMC 2009 Inc. (f/k/a Milacron Marketing Company) (0580); MPTG 2009 Inc., (f/k/a Milacron Plastics Technology Group) (1007); EMD 2009 Inc. (f/k/a D-M-E Company Inc.) (3086); 1787230 Ontario Limited (f/k/a Milacron Canada Limited) (7230); and MCH 2009 B.V. (f/k/a Milacron Capital Holdings B.V.) (7203). The corporate headquarters address of these Debtors is: 4165 Half Acre Road, Batavia, Ohio 45103.

witnesses or offer any evidence stating the value of the property or whether the creditor lacked adequate protection. The Court having considered all the facts of record and relevant pleadings of the parties, including the objection of creditor Michigan Department of Natural Resources and Environment ("DNRE") thereto [Doc. No. 980], and having heard from Counsel for Gosling, Trustee George Leicht (the "Trustee"), Counsel for Trustee, and Counsel for DNRE at the hearing held on August 30, 2011; and finding sufficient notice was given under the circumstances, finds that termination of the stay, at the present time, is not appropriate;

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

- 1. The Motion is DENIED, without prejudice and CONDITIONED, as follows.
- 2. In the event that the sale of the property which is the subject of the motion (Doc.1097) filed by the trustee does not occur, then this Court may, upon the filing of a certification by Gosling's counsel with the Court evidencing these facts, issue an order terminating the stay without further notice or hearing.
- 3. This Court shall retain jurisdiction over any and all matters arising from or related to the interpretation or implementation of this Order.
- 4. The automatic stay will continue in force and effect until further order by this Court.

IT IS SO ORDERED.

Case No. 09-11235

## Copies to:

Richard D. Nelson: ricknelson@ctks.com

Cayce A. Stoneburner: cstoneburner@ctks.com

Kim Martin Lewis: kim.lewis@dinslaw.com

Tim Robinson: tim.robinson@dinslaw.com

George Leicht: gpltrust@fuse.net

U.S. Trustee: Ustpregion09.cb.ecf@usdoj.gov

Daniel Allison-Yokom: allisonyokomd@michigan.gov

###